

This miscellaneous submission is prompted by the Commissions May 7, 2009 preliminary review of the Clay Jr for Congress Amended October Quarterly Report (07/17/08 - 09/30/08). The Commission requested a review of the Committees' procedures for checking contributions received and reported in the 48 Notice during the time period of two to twenty days before an election. The Committee procedures for checking, recording, depositing and reporting contributions received during this period are as follows: The treasurer marks the calendar and computer of all 48 hour deadlines required during the time period. The Committee treasurer inspects the P.O. Box daily. Any contributions hand delivered to an authorized agent of the committee or the candidate are immediately turned over to the treasurer. If the treasurer is not in proximity to the receiving agent he is notified of such receipt, the amount and the contributor. The check is transported to the treasurer within hours. When the treasurer receives the check it is photocopied. The treasurer then determines whether the contribution amount is acceptable and the contributor is eligible to contribute in accordance with the FEC Rules. If yes, the Treasurer records in the Committees' database, QuickBooks, the name, address, employer and occupation of the contributor, the election cycle classification, check number, date of receipt, amount and description of source of receipt, i.e. mail, fundraiser event. The mandated contribution information is then recorded on FEC Form 6 48-hour notice. The contribution is stamped for deposit and a deposit slip is prepared and copied. The treasurer delivers by hand or mails the deposit to the bank. The deposit receipt is stapled to the photocopied check and filed with similar records. At the close of business on the day each 48 hour report is due the Form 6 and Quickbooks database are compared to ensure the accuracy and full inclusion of all contributions required to be filed. Afterwards Form 6 is electronically filed with the committee before 11:59pm.

Further, the Commission request the Committee specify its 'best efforts' to determine the identification of all individuals who contribute in excess of \$200 in an election cycle. The Committee determines the correct name, address, occupation and name of employer of contributors in the following manner: The Committee inserts in each written solicitation a disclaimer, encased in an emboldened box in 9 point font that states; 'Contributions are not tax deductible for income tax purposes. An individual may contribute up to \$2,400 per election cycle. Federal law requires us to use best efforts to collect and report the name, mailing address, occupation and employer of individuals whose contributions exceed \$200 in an election cycle. Federal candidates may not accept corporate or union checks.' The Committee can rely on personal knowledge or will call or email the individual , or someone who knows the individual requesting the missing information. These efforts are taken by the Committee within 30 days of receipt of the contribution and are done exclusive for the purpose of obtaining such information, not related to any solicitation. If the information is obtained through these efforts the Committee updates its computer data base. The Committee will also research the information. Otherwise, a written post is sent via mail to the contributor reiterating the requirements of federal law, asking them to supply the information on an enclosed card and return such in enclosed stamped envelope addressed to the Committee. Previously the Committee was filing the newly acquired information with the FEC by updating the information in the list of 'all contributors'. Now the Committee will file with its next regularly scheduled report as an amended memo Schedule A listing all the contributions for which additional information was received.
